

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HENRY EDWARD DIAZ, II

Plaintiff,

v.

CDCR, et al.,

Defendants.

No. 1:23-cv-01378-SAB (PC)

ORDER TO SHOW CAUSE WHY ACTION
SHOULD NOT BE DISMISSED

(ECF No. 12)

Plaintiff is proceeding pro se and in forma pauperis in this action filed pursuant to 42 U.S.C. § 1983.

On November 17, 2023, the Court screened Plaintiff's complaint, found no cognizable claim, and granted Plaintiff thirty days to file an amended complaint. (ECF No. 12.) Plaintiff failed to file an amended complaint or otherwise responded to the Court's order and the time to do so has passed. Accordingly, Plaintiff shall be ordered to show cause why the action should not be dismissed for failure to comply with a court order, failure to prosecute, and failure to state a cognizable claim. (Id.)

Based on the foregoing, it is HEREBY ORDERED that:

1. Within **fourteen (14)** days from the date of service of this order Plaintiff shall show cause why the action should not be dismissed; and

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2. Failure to comply with this order will result in a recommendation to dismiss this action for the reasons stated above.

IT IS SO ORDERED.

Dated: **January 2, 2024**

A handwritten signature in blue ink, appearing to read "Emily A. Be", is written over a horizontal line.

UNITED STATES MAGISTRATE JUDGE